

IN THE CIRCUIT COURT OF MONROE COUNTY, MISSISSIPPI

MONROE COUNTY, MISSISSIPPI

PETITIONER

VS.

CIVIL ACTION NO. 2015-337-RM

ESTATE OF GREGORY KEETON,  
HEIRS AT LAW OF GREGORY KEETON, and  
THE PROPERTY LISTED IN THE PETITION

DEFENDANTS

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ESTATE OF RICKY KEITH KEETON'S ANSWER AND  
DEFENSES TO PETITION FOR FORFEITURE

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Without waiving the defense of lack of jurisdiction and failure of service of process, Robbie Keeton Geiger, as Administratrix of the Estate of Ricky Keith Keeton, Deceased,<sup>1</sup> answers the Petition for Forfeiture filed against it. This Answer does not waive the defense of failure of service of process. Defendant answers as follows:

1.

Paragraph I of the Petition is denied.

2.

Paragraph II of the Petition is denied.

3.

Paragraph III of the Petition is denied.

4.

Paragraph IV of the Petition is denied.

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<sup>1</sup> Petitioner has incorrectly named the Defendants as "The Estate of Gregory Keeton, Heirs at Law of Gregory Keeton, . . .," and a motion is currently pending before the Court to correct this error.

5.

Paragraph V of the Petition is denied.

6.

Paragraph VI of the Petition is denied.

7.

Paragraph VII of the Petition is admitted.

8.

Paragraph VIII of the Petition is denied.

9.

Paragraph IX of the Petition is denied.

10.

Paragraph X of the Petition is denied.

11.

Paragraph XI of the Petition is denied.

12.

Paragraph XII of the Petition is denied.

#### AFFIRMATIVE DEFENSES

Answering affirmatively, Defendants show the Court as follows:

13.

There has been no proper service of process. Moreover, more than one hundred twenty (120) days has passed since the Petition was filed. Therefore, the Petition must be dismissed.

14.

The property cannot be forfeited because Petitioner has failed to demonstrate any relationship between illegal activity and the proposed seized.

15.

Contrary to Paragraph XII of the Petition, the Petitioner did violate the constitutional rights of the deceased Ricky Keith Keeton through the method by which it entered upon his property and killed Ricky Keith Keeton.

16.

The search and seizure of the property was unreasonable in violation of the Fourth Amendment to the United States Constitution.

17.

The search and seizure of the property was the proximate result of illegal activity; to wit, an unreasonable execution of a search warrant, and the use of unreasonable force upon the decedent Ricky Keith Keeton in violation of the Fourth Amendment to the United States Constitution.

18.

There has been an unreasonable delay between the time of the seizure of the property and the service of this Petition.

19.

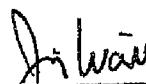
The due process clause of the Fourteenth Amendment requires that a Petition for Forfeiture precede the seizure of the property. Because Petitioner violated United States Constitution Amendment Fourteen by seizing the property before any due process hearing, the seizure of the property is void under the Fourteenth Amendment to the United States Constitution.

PRAYER

Robbie Keeton Geiger, as Administratrix of the Estate of Ricky Keith Keeton, Deceased; and Delisha Keeton Mooney, on behalf of The Estate of Ricky Keith Keeton and Heirs at Law of Ricky Keith Keeton, hereby pray that Petition for Forfeiture filed against be dismissed, with all attorneys' fees and costs assessed against the Petitioner.

RESPECTFULLY SUBMITTED, this the 1st day of April, 2016.

ESTATE OF RICKY KEITH KEETON, HEIRS AT  
LAW OF RICKY KEITH KEETON, Defendants

By: 

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ATTORNEYS FOR DEFENDANTS

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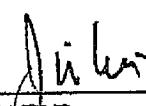
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APR 05 2016  
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MONROE CO., MS  


CERTIFICATE OF SERVICE

This will certify that undersigned counsel for Defendants has this day served a true and correct copy of the above and foregoing **Answer and Defenses to Petition for Forfeiture** upon all counsel of record by placing said copy in the United States Mail, postage-prepaid, addressed as follows:

Samuel C. Griffie, Esq.  
Creekmore Law Office, PLLC  
P.O. Box 716  
Amory, MS 38821

DATED, this the 1st day of April, 2016.

  
\_\_\_\_\_  
JIM WAIDE

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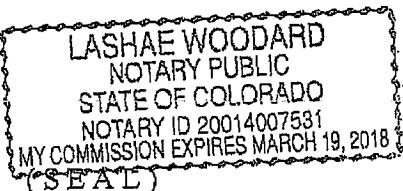
DANA L. SLOAN  
CIRCUIT CLERK  
MONROE CO., MS

STATE OF Colorado  
COUNTY OF El Paso

PERSONALLY came and appeared before me, the undersigned authority in and for the aforesaid jurisdiction, the within named ROBBIE KEETON GEIGER, who, after being first duly sworn, states under oath that the facts contained in the above and foregoing ANSWER AND DEFENSES TO PETITION FOR FORFEITURE are true and correct as stated therein.

  
ROBBIE KEETON GEIGER

GIVEN under my hand and official seal of office on this the 24<sup>th</sup> day of March, 2016.



  
NOTARY PUBLIC

My Commission Expires: March 19<sup>th</sup>, 2018

FILED

APR 05 2016



DANA L. SLOAN  
CIRCUIT CLERK  
MONROE CO., MS